

MESSAGE NO: 1324201 MESSAGE DATE: 11/20/2001

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-122-838

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/06/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF A PRELIMINARY DETERMINATION IN THE ANTIDUMPING  
INVESTIGATION OF CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA (A-122-  
838)

MESSAGE NO: 1324201

DATE: 11 20 2001

CATEGORY: ADA

TYPE: PRE

REFERENCE:

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CASES: A - 122 - 838

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PERIOD COVERED: 11 06 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: NOTICE OF A PRELIMINARY DETERMINATION IN THE  
ANTIDUMPING INVESTIGATION OF CERTAIN SOFTWOOD  
LUMBER PRODUCTS FROM CANADA (A-122-838)

1. ON NOVEMBER 06, 2001, THE DEPARTMENT OF COMMERCE PUBLISHED  
IN THE FEDERAL REGISTER ITS PRELIMINARY DETERMINATION OF SALES  
AT LESS THAN FAIR VALUE, AND THE POSTPONEMENT OF THE FINAL  
DETERMINATION, IN THE ANTIDUMPING DUTY INVESTIGATION OF CERTAIN  
SOFTWOOD LUMBER PRODUCTS FROM CANADA.

2. THE PRODUCTS COVERED BY THIS INVESTIGATION ARE SOFTWOOD  
LUMBER, FLOORING AND SIDING (SOFTWOOD LUMBER PRODUCTS). SOFTWOOD

LUMBER PRODUCTS INCLUDE ALL PRODUCTS CLASSIFIED UNDER HEADINGS 4407.1000, 4409.1010, 4409.1090, AND 4409.1020, RESPECTIVELY, OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS), AND ANY SOFTWOOD LUMBER, FLOORING AND SIDING DESCRIBED BELOW. THESE SOFTWOOD LUMBER PRODUCTS INCLUDE:

(1) CONIFEROUS WOOD, SAWN OR CHIPPED LENGTHWISE, SLICED OR PEELED, WHETHER OR NOT PLANED, SANDED OR FINGER-JOINTED, OF A THICKNESS EXCEEDING SIX MILLIMETERS;

(2) CONIFEROUS WOOD SIDING (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBETED, CHAMFERED, V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES, WHETHER OR NOT PLANED, SANDED OR FINGER-JOINTED;

(3) OTHER CONIFEROUS WOOD (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBETED, CHAMFERED, V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES (OTHER THAN WOOD MOULDINGS AND WOOD DOWEL RODS) WHETHER OR NOT PLANED, SANDED OR FINGER-JOINTED; AND

(4) CONIFEROUS WOOD FLOORING (INCLUDING STRIPS AND FRIEZES FOR PARQUET FLOORING, NOT ASSEMBLED) CONTINUOUSLY SHAPED (TONGUED, GROOVED, RABBETED, CHAMFERED, V-JOINTED, BEADED, MOLDED, ROUNDED OR THE LIKE) ALONG ANY OF ITS EDGES OR FACES, WHETHER OR NOT PLANED, SANDED OR FINGER-JOINTED.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND

U.S. CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE UNDER INVESTIGATION IS DISPOSITIVE.

IN ADDITION, WE HAVE PRELIMINARILY DETERMINED THAT THE PRODUCTS LISTED IN GROUPS A. AND B. BELOW ARE OUTSIDE THE SCOPE OF THIS INVESTIGATION:

GROUP A.    SOFTWOOD LUMBER PRODUCTS EXCLUDED FROM THE SCOPE:

- (1)TRUSSES AND TRUSS KITS, PROPERLY CLASSIFIED UNDER HTSUS  
4418.90
- (2)I-JOIST BEAMS
- (3)ASSEMBLED BOX SPRING FRAMES
- (4)PALLETS AND PALLET KITS, PROPERLY CLASSIFIED UNDER HTSUS  
4415.20
- (5)GARAGE DOORS
- (6)EDGE-GLUED WOOD, PROPERLY CLASSIFIED UNDER HTSUS ITEM  
4421.90.98.40
- (7)PROPERLY CLASSIFIED COMPLETE DOOR FRAMES.
- (8)PROPERLY CLASSIFIED COMPLETE WINDOW FRAMES
- (9)PROPERLY CLASSIFIED FURNITURE

GROUP B.    SOFTWOOD LUMBER PRODUCTS EXCLUDED FROM THE SCOPE  
ONLY IF THEY MEET CERTAIN REQUIREMENTS:

(1)STRINGERS (PALLET COMPONENTS USED FOR RUNNERS):  
IF THEY HAVE AT LEAST TWO NOTCHES ON THE SIDE, POSITIONED  
AT EQUAL DISTANCE FROM THE CENTER, TO PROPERLY ACCOMMODATE  
FORKLIFT BLADES, PROPERLY CLASSIFIED UNDER HTSUS  
4421 90 98 40.

(2)BOX-SPRING FRAME KITS:  
IF THEY CONTAIN THE FOLLOWING WOODEN PIECES- TWO  
SIDE RAILS, TWO END (OR TOP) RAILS AND VARYING NUMBERS OF  
SLATS. THE SIDE RAILS AND THE END RAILS SHOULD BE RADIUS-  
CUT AT BOTH ENDS. THE KITS SHOULD BE INDIVIDUALLY  
PACKAGED, THEY SHOULD CONTAIN THE EXACT NUMBER OF WOODEN  
COMPONENTS NEEDED TO MAKE A PARTICULAR BOX SPRING FRAME,  
WITH NO FURTHER PROCESSING REQUIRED. NONE OF THE  
COMPONENTS EXCEEDS 1" IN ACTUAL THICKNESS OR 83" IN LENGTH.

(3)RADIUS-CUT BOX-SPRING-  
FRAME COMPONENTS, NOT EXCEEDING 1" IN ACTUAL  
THICKNESS OR 83" IN LENGTH, READY FOR ASSEMBLY WITHOUT

FURTHER PROCESSING. THE RADIUS CUTS MUST BE PRESENT ON BOTH ENDS OF THE BOARDS AND MUST BE SUBSTANTIAL CUTS SO AS TO COMPLETELY ROUND ONE CORNER.

(4)FENCE PICKETS REQUIRING

NO FURTHER PROCESSING AND PROPERLY CLASSIFIED UNDER HTSUS 4421.90.70, 1" OR LESS IN ACTUAL THICKNESS, UP TO 8" WIDE, 6' OR LESS IN LENGTH, AND HAVE FINIALS OR DECORATIVE CUTTINGS THAT CLEARLY IDENTIFY THEM AS FENCE PICKETS. IN THE CASE OF DOG-EARED FENCE PICKETS, THE CORNERS OF THE BOARDS SHOULD BE CUT OFF SO AS TO REMOVE PIECES OF WOOD IN THE SHAPE OF ISOSCELES RIGHT ANGLE TRIANGLES WITH SIDES MEASURING 3/4 INCH OR MORE.

PLEASE NOTE THAT THIS SCOPE EXCLUSION LIST REFLECTS CERTAIN MODIFICATIONS TO THE EXCLUSION LIST ISSUED AT THE TIME OF THE PRELIMINARY DETERMINATION IN THE COMPANION COUNTERVAILING DUTY INVESTIGATION (SEE MESSAGE NUMBER 1249201 PUBLISHED ON SEPTEMBER 6, 2001). THOSE INSTRUCTIONS WILL ALSO BE MODIFIED TO REFLECT THE CURRENT EXCLUSION LIST.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-122-838.

4. FOR IMPORTS OF CERTAIN SOFTWOOD LUMBER PRODUCTS FROM CANADA, THE CUSTOMS SERVICE SHALL SUSPEND LIQUIDATIONS OF SUCH SHIPMENTS ENTERED OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER

NOVEMBER 06, 2001. EFFECTIVE NOVEMBER 06, 2001, CUSTOMS SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT OR THE POSTING OF A BOND EQUAL TO THE MARGINS SHOWN BELOW:

MANUFACTURER/PRODUCER	CUSTOMS ID NUMBER	MARGIN(%)
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(ABITIBI GROUP)

ABITIBI-CONSOLIDATED INC.	A-122-838-001	13.64
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PRODUITS FORESTIERS PETIT PARIS INC.	A-122-838-002	13.64
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PRODUITS FORESTIERS LA TUQUE INC.	A-122-838-003	13.64
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SCIERIES SAGUENAY LTEE. A-122-838-004 13.64  
SOCIETE EN COMMANDITE SCIERIE OPTICWAN A-122-838-005 13.64

(CANFOR GROUP)

CANFOR CORPORATION A-122-838-006 12.98  
LAKELAND MILLS LTD. A-122-838-007 12.98  
THE PAS LUMBER COMPANY LTD. A-122-838-008 12.98  
HOWE SOUND PULP AND PAPER  
LIMITED PARTNERSHIP A-122-838-009 12.98

SLOCAN FOREST PRODUCTS LTD. A-122-838-010 19.24

(TEMBEC GROUP)

TEMBEC INC. A-122-838-011 10.76  
MARKS LUMBER LTD. A-122-838-012 10.76  
EXCEL FOREST PRODUCTS A-122-838-013 10.76

(WEST FRASER GROUP)

WEST FRASER TIMBER CO. LTD. A-122-838-014 5.94  
WEST FRASER FOREST PRODUCTS INC. A-122-838-015 5.94  
SEEHTA FOREST PRODUCTS LTD. A-122-838-016 5.94

(WEYERHAEUSER GROUP)

WEYERHAEUSER COMPANY A-122-838-017 11.93  
MONTERRA LUMBER MILLS LTD. A-122-838-018 11.93  
WEYERHAUSER SASKATCHEWAN LTD. A-122-838-019 11.93

ALL OTHERS A-122-838-000 12.58

PLEASE NOTE: IF THE EXPORTER DOES NOT HAVE A COMPANY-SPECIFIC MARGIN BUT THE MANUFACTURER IS KNOWN, THE RATE OF THE MANUFACTURER WILL APPLY. IF THE MANUFACTURER DOES NOT HAVE A SPECIFIC MARGIN OR IS NOT KNOWN, THE ALL OTHERS RATE WILL APPLY.

PLEASE NOTE: THE CANADIAN PROVINCES OF NEW BRUNSWICK, NOVA SCOTIA, PRINCE EDWARD ISLAND, AND NEWFOUNDLAND (THE MARITIME PROVINCES) ARE NOT EXEMPT FROM THE ANTIDUMPING DUTY INVESTIGATION.THEREFORE, FOR MARITIME LUMBER ENTERED OR

WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION ON OR AFTER NOV. 6, 2001, ANTIDUMPING DUTY IS APPLICABLE. THE FOLLOWING THREE FORMULAS WILL BE USED TO DETERMINE PROPER BOND AMOUNTS.

(1) USE OF CONTINUOUS BOND: CONTINUOUS BOND 10% OF DUTIES, TAXES

AND FEES PAID IN THE PREVIOUS 12 MONTHS OR \$50,000, WHICHEVER IS GREATER, PLUS 38.55% OF THE TOTAL ENTERED VALUE FOR THE PREVIOUS 12 MONTHS EQUALS THE AMOUNT OF THE NEW CONTINUOUS BOND.

(2) USE OF ONLY AN SEB (SINGLE ENTRY BOND): THE AMOUNT OF AN SEB

EQUALS THE TOTAL ENTERED VALUE PLUS ALL DUTIES, TAXES AND FEES PLUS 19.31% CVD PLUS THE APPROPRIATE ADD MARGIN RATE OF THE TOTAL ENTERED VALUE OF THE INSTANT SHIPMENT.

(3)USE OF BOTH A CONTINUOUS BOND AND AN SEB:

IN THIS CASE, THE CONTINUOUS BOND ALREADY ON FILE MUST BE SUFFICIENT TO COVER THE 10% REQUIREMENT OF DUTIES, TAXES AND FEES OR \$50,000, WHICHEVER IS GREATER, AND THE SEB IS FOR THE 19.31% CVD PLUS THE APPROPRIATE ADD MARGIN PERCENTAGE OF THE ENTERED VALUE OF THE INSTANT SHIPMENT. IN THIS METHODOLOGY, THERE WOULD BE TWO BONDS PRESENTED, ONE CONTINUOUS BOND FOR CUSTOMS DUTIES, TAXES AND FEES AND ONE SEB FOR BOTH THE CVD AND ADD, IF APPLICABLE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT, VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT CHARLES RIGGLE OR CONSTANCE HANDLEY, AD/CVD ENFORCEMENT OFFICE 5, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE AT (202) 482-0650 OR (202) 482-0631.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party